

might have been that the defendant knew the house was in the state described, and the plaintiff might have come and said, "I wish to take that house: I have not seen it;" and the defendant, knowing its condition, might have said, "Yes, I will let it to you." But the declaration did not say either that the defendant made any representation to the plaintiff, or that the defendant was aware that the plaintiff would not do what persons ordinarily would do in such a case,—namely, before he began to occupy the house make a proper investigation as to its condition himself. This, therefore, appeared to be a mere ordinary case of letting. There was nothing to show deceit, and therefore in the declaration no cause of action was described.

Judgment for the defendant.

MR. LAYARD'S RESEARCHES IN ASSYRIA.

THE funds placed at the disposal of Mr. Layard by the British Government being exhausted, that gentleman has been obliged to abandon several new excavations which he had commenced at Nimrud and at Nebbi Junes, and which promised to lead to historical discoveries of the utmost importance. He has now proceeded to Babylonia, for the purpose of examining the various ancient sites that are scattered over that extensive country, and with a view of ascertaining the spots most favourable for excavation.

As this object, however, is one of national rather than of individual interest, it is thought that there are many in this country who would regret to see the expenses of the work thus thrown upon Mr. Layard, and who would willingly come forward with pecuniary aid, in order to relieve him from personal liability.

Mr. Murray, of Albemarle-street, will receive any such contributions, and will take the necessary steps for transmitting to Mr. Layard the sum subscribed, to be expended by him, during the ensuing winter, in Babylonian or Assyrian excavation, according as circumstances may render advisable.

A DEFENCE OF IMITATION.

IN your journal of the 1st inst. an attempt has been made by a correspondent to overturn a defence of imitations of woods and marbles, as practised by house painters in this country, which formed part of a paper on Ornamental Art as applicable to the Internal Decoration of Houses, prepared by me, and read at a meeting of the Architectural Institute of Scotland, an abbreviated report of which appeared in THE BUILDER of the 18th ult.

Your correspondent accuses me of blasphemy for having, by way of showing the absurdity of the objections made to imitative art employed in house decoration, stated, that the concavity of heaven—the rainbow itself—was a deception. It would appear that "Calotect" had consulted Johnson, and found that "deception" was to "lead into error." Had he pursued his inquiry a little further, he would have found that "deception" meant "countersailing" or "imitating," and he would thus have seen the connection the comparison has with my argument, in support of the imitative arts, in such a light as might have induced him to dispense with using the ridiculous term of blasphemy.

Man is an imitator and adaptor; he is neither an inventor nor a creator; and if the arts wherein imitation is practised are set aside, I should feel obliged by "Calotect" informing me where professors of the fine and decorative arts are to find material on which to exercise their adaptive faculties. Is not blasphemy a fitter term for him who, fancying himself a creator, shuts his eyes to the beauties of external nature, and disquiets the world with monstrosities in the name of designs, than for the true student of art, who diligently watches every phase of nature, and whose highest inspirations are to imitate humbly the beauties with which God has so richly adorned the work of his own hands.

"Calotect" does not assert that the concavity of heaven and the rainbow are what they appear to the eye; neither will he attempt

to affirm that the sun, the moon, and the stars are orbs of fire, but he alleges that they are infinitely more glorious than they seem, and hence he argues, that this being the rule in nature, everything in true art should be more and richer than it at first appears, while, what he terms false art, seeks to make everything appear at first more and richer than it is.

According to this doctrine, all that is required to convert false into true art is to paint a rosewood door imitation fir; to plate gold with silver; to make picture-frames of gold, and cover them with stucco, instead of rice-wood,—and this worse than useless extravagance, this wanton invasion of economy, in terms of your correspondent's definition, would instantly change the false into the true.

Even in works of high art, I have always understood that the nearer they approximated to perfect nature—the more complete the deception—the greater their excellence, whether exhibited in the flesh tints of Titian or Elty, the expression of Raphael or Wilkie, the Venus of Milo, or the Apollo Belvidere.

In decorative art I have experienced much pleasure in gazing on the walls of many of the entrance halls and vestibules of the palaces and mansions of England, wherein the imitation of marble was so perfect that the eye was completely deceived, while the mind was all the while conscious that the walls were neither more nor less than plaster painted. I look upon the art that can accomplish this with pride and pleasure, as having attained such perfection in my native country as *Suabland* according to "Calotect" and being quite aware that marbling and graining were practised in Egypt 3,000 years ago (not 2,000, as your correspondent, out of sheer pity, states for my information) when the Memnonium was in all its glory, and society was in a high state of civilisation, I have no hesitation in asserting that such arts flourish best in a country like Britain, where the domestic properties arising from the love of home afford the best guarantee for progress in all that ministers to man's intellectual and physical improvement.

I have now answered those points of "Calotect's" letter which have reference to me. I shall not prolong a controversy with an anonymous writer, and should "Calotect" again enter the lists, unless he attach his name to his challenge, I shall leave him in possession of the field.

JAMES BALLANTINE.

BLOTS ON HYDE PARK.

FROM the care taken some five years back in planting belts and clumps, coupled with the attention usually shown for the preservation of the greensward, one might naturally suppose that the authorities really have a desire to preserve the semblance of its primitive rural beauty.

In the memory of many, high dingy brick walls encompassed the bounds, but these have been removed and substituted by railings: the Serpentine was also some thirty years back improved, and the carriage-way continued over a new bridge, in itself the chief improvement for the views from the balustrade are excelled by few private parks in England. About the same period the enclosure (next Kensington-gardens), called the Deer-park, was thrown open, and a road formed round the whole extent of about 400 acres. The cascade, or steps where water should fall, is hardly worth mentioning; for whatever might have been the original intention, there is no object of attraction there save when the wind blows strong from the west, and on such occasions crowds collect at the pond head to see the only waterfall visible in Middlesex, as the force of the wind blows the surface into mimic waves, and drives a streamlet through the grating which might possibly turn a knife-grinder's wheel!

If there be any plantation, any bridge, any scenic beauty in Hyde-park—if Regent's-park and its bowers, its waters, its long walks be an improvement to London,—it never was to any Board of Public Works that these advantages (and they are inappreciable) are due. Not it is to a monarch of surpassing taste, who, foreseeing the growth of the metro-

polis, provided for its increasing extent; who planned Regent-street, through the slums of town, and designed its extent towards Highgate, through the noble causeway which he found accidentally constructed of Portland-place.

If any taste prevailed we should have no blots on the national parks—such as now disgrace them, no powder magazine, no sergeant's guard-house, no hovels for the harbour of carts and rubbish, no petty ranger's lodge, with four acres surrounded by a shapeless board—and we should have a free current of stream water flowing over the chute that now tells a dry tale of ridicule to the basquet which overhangs the artificial ravine.

That eight acres for perhaps ten, the most beautiful portion of Hyde-park, should continue to be appropriated to the use of a subordinate pensioner (who, as is apparent from the neglected state of the grounds, prizes it not); that a petty guard-house, serves but to protect the misplaced powder magazine—that woodcutters' hovels should be suffered to mar our boasted park,—shows want of taste in the office of management. The patronage, however, which bestows the power to provide for a single favourite, however little his merits, is, it seems, not to be given up; and if we may judge from the appropriations of public grounds made to private uses in Regent's-park, there is little to be expected by way of concession from commissioners to the public. In the latter park upwards of 100 acres have been fenced off and bestowed upon private residences within ten years.

Judging from these facts, who could expect, in the proposed inclosure of the New Forest, an impartial, public-spirited, and just disposal of the lands? And unless the strictest vigilance be used in this respect, and that the whole district be appraised and submitted to fair sale by auction, there will be ample scope for jobbery.

The great building now occupies 1½ acres of Hyde-park, and, excepting Mr. Egger whose lordly mansions are much depreciated in value by its too close approximation, perhaps no individual can be found to fault it. Since this, then, restricts the public liberty on one side, surely it ought to be met by the relinquishment of the inclosures in the centre of the park. There is no telling how the objects for which the building was designed may yet be perverted. Should it be formed into an expansive conservatory it may be a public benefit; should it, on the other hand, be made exclusive, or permanently mercantile, or turned to any government or official advantage, it must prove an annoyance to the citizens.

The encroachments of officials make government unpopular, while due attention to public wishes and wants reconciles the multitude, as in Russia, to even an absolute rule.

May it not be suggested that Wormwood Scrubs, about three miles from town, would be sufficiently vicinal for a powder magazine, and more out of the way of accident (a blow-up) than the site in Hyde-park; and also that the same location would also be better suited for barracks (cavalry, at least) than Albany-street or Knightsbridge? There is not as yet any great number of houses in that neighbourhood, nor are the Scrubs used for a place of public resort or recreation: in fact, they are of little value for building, and of none for pasture.

As a free population advances, let guards and pretorians recede: a civil police is best for free and popular institutions. H.

AMERICAN ARTISTS.—We learn from the Boston Daily Transcript that a large number of artists, foreign and American, residing in New York, have agreed to contribute each a picture, for the purpose of forming a lottery, the proceeds of which are to be appropriated towards the relief of the 300 German emigrants who are sufferers by the wreck of the *Helena Simon*.

AMERICAN HOTELS.—A new hotel is about to be built at Boston, six storeys high, with a dining-hall containing 5,625 square feet, and other rooms, to the number of 200, in due proportion. The building is to be erected by a joint-stock subscription.